

### **REMARKS**

Claims 1, 3-11, and 16-19 are pending. Claims 1, 8, 10, and 11 are amended. The basis for the amendments to claim 1 can be found, for example, at page 11, line 18 to page 12, line 5. Claim 8 is amended to remove the molecular weight range. Claims 10 and 11 are amended to conform it with the amendment to claim 1. Claim 2 is withdrawn as it is directed to a non elected species. Applicants request rejoinder upon allowance of the generic claim. Claims 12-15 are canceled.

#### **Rejections Under 35 U.S.C. § 112, Second Paragraph**

Claims 1, 3-11, and 16-19 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite based on the phrase “but not to (i-a) or (I-b)” found in claim 1. While not necessarily agreeing with the rejection, it is rendered moot by the amendment to claim 1.

The claims are also rejected because the term “alkyl poly(meth)acrylates” is allegedly unclear. Applicants disagree because there would be no confusion as to the meaning of the term to one skilled in the art. The term is accepted and used in the art. See, for example, U.S. Patent No. 7,001,958 at column 4, lines 19-20. One skilled in the art would understand that alkyl poly(meth)acrylate are compounds such as poly(methyl(meth)acrylate). Applicants respectfully request reconsideration and withdrawal of the rejection.

The Office Action also alleges that the term “molecular weight” is unclear. Although Applicants submit that the term is clear by way of common usage in the field, the claims are amended to remove the term in order to further prosecution.

In another rejection under 35 U.S.C. § 112, second paragraph, the Office asserts that the claims are unclear due to potential overlap between various elements of the claims. Applicants are not aware of any legal authority prohibiting overlap between such elements, nor does the Office Action identify any such legal authority. Furthermore, Applicants believe that it is clear that when a composition contains materials that are present in amounts that satisfy all required claim elements, the composition is within the scope of the claims. However, in order to add further clarification, claim 1 is amended to specify that component

(B) is different than component (C). Reconsideration and withdrawal of the rejection is respectfully requested.

**Rejections Under 35 U.S.C. § 102(b)**

Claims 1, 2-5, 7-11, and 16-19 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Nos. 3,891,584 ("the Chauduri patent"); 6,025,320; 5,217,798; and 6,410,627 ("the Paul patent"). The standard for anticipation under §102 is one of strict identity. Claim 1 is amended to require the presence of component B and that the resin that is component C comprise styrene/acrylic acid copolymer. None of aforementioned patents, however, teach or suggest components B or C as recited in the pending claims. For at least this reason, Applicants request reconsideration and withdrawal of the rejections.

Claims 1, 2-5, 7-11, and 16-19 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,733,856. Amended claim 1 recites a resin as component (C) that comprises styrene/acrylic acid copolymer. No such teaching or suggestion is found in the cited art. For at least this reason, Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of the Chauduri patent in view of any one of U.S. Patent Nos. 5,578,682; 6,734,131; and 5,321,105. The Chauduri patent, however, does not disclose or suggest components B or C of the instant claims. The cited patents do not cure these defects. As such, even if one were motivated to combine the cited art (a point Applicants do not concede), no claimed invention would result. As such, Applicants submit that the rejection should be withdrawn.

Claims 1, 3-5, 7-11, and 16-19 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of the Paul patent. As discussed above, the Paul patent, however, does not disclose or suggest components B or C of the instant claims. Because inclusion of such components is not taught or suggested by the art, a *prima facie* case of obviousness is not established. Reconsideration and withdrawal of the rejection is respectfully requested.

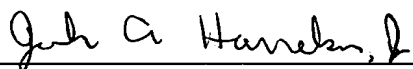
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**PATENT**

The foregoing is believed to constitute a complete and full response to the Office Action of record. Accordingly, an early and favorable reconsideration of the rejections and an allowance of all of pending claims is earnestly solicited.

Respectfully submitted,

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